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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Rudiger FRANKE et al.

Serial No.: 10/048,094

Confirmation No.: 1600

Filed: 24 January 2002

Title: METHOD FOR POWER AND TIME
OPTIMIZATION OF THE TRAVEL
MODE IN A VEHICLE/TRAIN

Group Art Unit: not assigned

Examiner: not assigned

Atty. Dkt. No.: 01013.0015.PCUS00

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir,

Listed on accompanying form PTO/SB/08A are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

It is respectfully requested that the Examiner initial and return a copy of the attached form PTO/SB/08A, and indicate in the official file wrapper of this patent application that the documents have been considered

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached form PTO/SB/08A based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

The following items with checked boxes apply to this Information Disclosure Statement (IDS):

- 1. This IDS is being filed within three months of the U.S. filing date or entry of the national stage OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
- 2. This IDS is being filed more than three months after the U.S. filing date or entry of the national stage AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - a. I hereby state that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(1); or
 - b. I hereby state that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(2); or
 - c. The Commissioner is authorized to charge Deposit Account No. 08-3038, referencing the above docket number, in the amount of \$ 180 in payment of the fee under 37 C.F.R. § 1.17(p).
- 3. This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the IDS be considered. The Commissioner is

authorized to charge Deposit Account No. 08-3038, referencing the above docket number, in the amount of \$ 180 in payment of the fee under 37 C.F.R. § 1.17(p).

- a. I hereby state that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(1); or
 - b. I hereby state that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing this IDS. 37 C.F.R. § 1.97(e)(2).
4. In regard to the relevance of non-English language document(s) listed on the enclosed form:
- a. For document(s) bearing Cite Nos. B, D, E and F, a discussion is provided in the present specification.
 - b. For document(s) bearing Cite Nos. B to J, which was/were cited in search report(s) for corresponding foreign application(s), an English language version or translation of relevant portions of the foreign search report(s) is attached.
 - c. For document(s) bearing Cite Nos. , counterpart application(s) in English is/are provided bearing Cite Nos. .
 - d. For document(s) bearing Cite Nos. , an English language abstract is attached to the document(s).
 - e. For document(s) bearing Cite Nos. , a concise explanation of relevance follows:
5. The Examiner's attention is directed to co-pending U.S. Patent Application No. 10/048,095; 10/031,977; 10/031,418 and 10/031,976, filed on 24 Januray 2002, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

6. Copies of document number(s) was/were cited by or submitted to the Office in Application No. , filed on , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing the docket number shown above.

The Examiner is respectfully requested to contact the undersigned by telephone at the number given below in order to resolve any questions.

Respectfully submitted,



David P. Owen
Reg. No. 43,344

Date: 29 July 2002

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PTO/SB/08A (08-00)

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<p style="text-align: center;">Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.</p> <p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>			
Complete if Known			
Application Number		10/048,094	
Filing Date			
First Named Inventor		Rudiger FRANKE	
Group Art Unit			
Examiner Name			
Sheet	of	Attorney Docket Number	
		01013.0015.PCUS00	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B	EP	0 467 377	B1	Hitachi Ltd.	01.22.1992		<input type="checkbox"/>
	C	DE	197 26 542	A1	Schwanhauser	11.19.1998		<input type="checkbox"/>
	D	DD	255 132	A1	Zentrales Forschungs-institut des Verkehrswesens	03.23.1988		<input type="checkbox"/>
	E	DE	30 26 652	A1	Siemens AG	02.11.1982		<input type="checkbox"/>
	F	DD	208 324		Grosse et al	05.02.1984		<input type="checkbox"/>
	G	DD	129 761		Horn et al	02.08.1978		<input type="checkbox"/>
	H	DD	236 705	A1	Zentrales Forschungs-institut des Verkehrswesens	06.18.1986		<input type="checkbox"/>
	I	DD	262 836	A1	Zentrales Forschungs-institut des Verkehrswesens	12.14.1988		<input type="checkbox"/>

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/048,094
(use as many sheets as necessary)		Filing Date	
		First Named Inventor	Rudiger FRANKE
		Group Art Unit	
		Examiner Name	
Sheet	of	Attorney Docket Number	01013.0015.PCUS00

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark